

UNITED STATES DISTRICT COURT

for the
District of MaineMichael McKenzie
v.
James W. Brannan, et al.)
)
)
)
)

Case No.: 2:20-cv-00262-NT

BILL OF COSTS

Judgment having been entered in the above entitled action on 02/02/2023 against Plaintiff Michael McKenzie,
Date
the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$	
Fees for service of summons and subpoena		
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case		6,901.05
Fees and disbursements for printing		475.66
Fees for witnesses (<i>itemize on page two</i>)		120.63
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.		
Docket fees under 28 U.S.C. 1923		
Costs as shown on Mandate of Court of Appeals		
Compensation of court-appointed experts		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
Other costs (<i>please itemize</i>)		115.60
	TOTAL	\$ 7,612.94

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other: _____

s/ Attorney: S. W. B.Name of Attorney: Seth W. Brewster, Esq.For: James W. Brannan, et al.
*Name of Claiming Party*Date: 03/13/2023

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

By: _____

*Clerk of Court**Deputy Clerk**Date*

McKenzie v. Brannan

2:20-cv-00262-NT

PACER Court Copies

<u>Date</u>	<u>Cost</u>	<u>Description</u>
03/31/2022	95.50	PACER Court Records
06/30/2022	3.00	PACER Court Records
10/14/2022	17.10	PACER Court Records
	TOTAL 115.60	



INVOICE

HTTP:WWW.COPLEYCOURT.COM
E-MAIL: COPLEY@COPLEYCOURT.COM

COPLEY COURT REPORTING, INC.

The Mercantile Building
71 Commercial Street, #700
Boston, MA 02109
Phone: 617.423.5841
Fax: 781.268.0742

BILL TO:

Eaton Peabody
100 Middle Street
P.O. Box 15235
Portland, Maine 04112-5235
207.274.5266
Attn: Alfred Falzone, Esq.

TAX ID#: 04-2861661

Job Taken 1/07/2022 4231

Reporter:
Julie Star

DATE:

1/20/2022

INVOICE #

52850

Description	Qty	Rate	Total
Morgan Art Foundation LTD vs. McKenzie, et al Depo. of Osvaldo Gonzalez (vol. 2) (zoom)			
1 Certified Transcript	236.00	3.85	908.60
Mini w/word index (enc.)	1.00	35.00	35.00
S/H	1.00	16.00	16.00
*E-Mailed in PDF (courtesy)	0.00	0.00	
**Archive of Transcript (courtesy)	0.00	0.00	
Invoice Total			959.60
Balance Due			959.60

Thank you for using Copley Court Reporting, Inc.

THIS BILL IS NON-TRANSFERRABLE
(Interest to be charged at the rate of 1.5% per month after 30 days)
Thank you for your prompt attention



INVOICE

HTTP:WWW.COPLEYCOURT.COM
E-MAIL: COPLEY@COPLEYCOURT.COM

COPLEY COURT REPORTING, INC.

BILL TO:

Eaton Peabody
100 Middle Street
West Tower—2nd fl
Portland, Maine 04101
207.274.5266
Attn: Seth W. Brewster, Esq.

The Mercantile Building
71 Commercial Street, #700
Boston, MA 02109
Phone: 617.423.5841
Fax: 781.268.0742

TAX ID#: 04-2861661

Job Taken 5/26/2022 2752

Reporter:
Kathleen McHugh

DATE:

6/02/2022

INVOICE #

53326

Description	Qty	Rate	Total
McKenzie vs. Brannan, et al Depo. of Lawrence Sterrs (zoom)			
1 Certified Transcript	147.00	3.50	514.50
Mini w/word index (enc.)	1.00	35.00	35.00
S/H	1.00	14.50	14.50
*E-Mailed in PDF (courtesy)	0.00	0.00	
*Archive of Transcript (courtesy)	0.00	0.00	
**Signature pages sent to Atty Markham	0.00	0.00	
Invoice Total			564.00

Balance Due 564.00

Thank you for using Copley Court Reporting, Inc.

Disbursement 1 1
Amount 564.00 Exp Code 560
Client Sett Matter 3496.3
Reason depo transcript - sterrs
Attorney SUBB Preparer EVM

THIS BILL IS NON-TRANSFERRABLE
(Interest to be charged at the rate of 1.5% per month after 30 days)
Thank you for your prompt attention



INVOICE

HTTP:WWW.COPLEYCOURT.COM
E-MAIL: COPLEY@COPLEYCOURT.COM

COPLEY COURT REPORTING, INC.

BILL TO:

Eaton Peabody
100 Middle Street
West Tower—2nd fl
Portland, Maine 04101
207.274.5266
Attn: Seth W. Brewster, Esq.

The Mercantile Building
71 Commercial Street, #700
Boston, MA 02109
Phone: 617.423.5841
Fax: 781.268.0742

TAX ID#: 04-2861661

Job Taken 6/02/2022 2752

Reporter:
Kathleen McHugh

DATE:

6/09/2022

INVOICE #

53339

Description	Qty	Rate	Total
McKenzie vs. Brannan Depo. of James W. Brannan (zoom)			
1 Certified Transcript	100.00	3.50	350.00
Mini w/word index (enc.)	1.00	35.00	35.00
S/H	1.00	14.00	14.00
*E-Mailed in PDF (courtesy)	0.00	0.00	
*Archive of Transcript (courtesy)	0.00	0.00	
**Signature pages enc.	0.00	0.00	
Invoice Total			399.00

Balance Due 399.00

Thank you for using Copley Court Reporting, Inc.

Disbursement 1

Amount 399.00 Exp Code 560

Client Star of Hope 34196.3

Reason transcript of Brannan Depo.

Attorney SWB Preparer EVM

THIS BILL IS NON-TRANSFERRABLE

(Interest to be charged at the rate of 1.5% per month after 30 days)

Thank you for your prompt attention



Gaige & Feliccitti, LLC
205 Woodford Street
Portland ME 04103
scheduling@gandfreporing.com
207.854.5298
www.gandfreporing.com

Tax ID 46-3855727

Seth Brewster, Esq.
Eaton Peabody - Portland
P.O. Box 15235
Portland, ME 04112-5235

Invoice #14399

Date	Terms
07/07/2022	Net - 30 Days

Job #5211 on 06/09/2022

Case: Michael McKenzie vs. James W. Brannan
Location: G&F Zoom Room 2

Shipped On:
Shipped Via: UPS
Delivery Type: Normal
Sub: Miller, Leslie; Rhine, Merissa A.
Services: Stenography - Remote/Zoom;
Videography; Virtual Meeting
Technician

Description	Price	Qty	Amount
Original Transcript Deposition of Michael McKenzie			
Appearance Fee - Full Day	\$ 195.00	1.00	\$ 195.00
After Hours Appearance Fee (1.75 Hours)	\$ 50.00	1.00	\$ 87.50
Original & 1 (390 Pages)	\$ 4.00	1.00	\$ 1,560.00
Electronic Exhibit Processing and Handling (452 Pages)	\$ 0.65	1.00	\$ 293.80
Virtual Video Meeting Technician and Videographer (8.75 Hours)	\$ 95.00	1.00	\$ 831.25
24/7 Online Repository - Complimentary		1.00	\$ 0.00
Shipping	\$ 19.95	1.00	\$ 19.95
			\$ 2,987.50

Amount Due: \$ 2,987.50
Paid: \$ 0.00

Balance Due:	\$ 2,987.50
Payment Due:	Upon Receipt

TAX ID: 46-3855727 To pay online, go to <https://www.gandfreporing.com/> and click on Pay Invoices Online. Ordered transcripts

Thank you!

Disbursement
Amount 2987.50 Exp Code 5160
Client Star of Hope Matter 34196.3
Reason transcript McKenzie Depo.
Attorney SWB Preparer EVM

Eaton
Peabody
Attorneys at Law

PORTLAND NFE ACCOUNT
ONE PORTLAND SQUARE
PORTLAND, ME 04101

Machias
Savings Bank

BANGOR, ME 04401

5211

52-7453/2112

7/14/2022

PAY TO THE
ORDER OF Sigmund Schutz

\$ 40.63

Forty and 63/100

DOLLARS

AMOUNTS OVER \$10,000 REQUIRE TWO SIGNATURES
VOID AFTER 90 DAYS



S. W. B.



34196.3 / Witness Fee and Mileage

MEMO

TRUE WATERMARK PAPER - HOLD TO LIGHT TO VIEW

HEAT SENSITIVE RED IMAGE DISAPPEARS WITH HEAT

005211 211274531 813 0256510

PORTLAND NFE ACCOUNT
PORTLAND, ME 04101

5211

7/14/2022

Acct # 34196.3 / Witness Fee and Mileage

40.63

PORTLAND NFE ACCOUNT
PORTLAND, ME 04101

5211

7/14/2022

40.63

Acct # 34196.3 / Witness Fee and Mileage

SATELLITE CHECK VOUCHER
FOR PREPAID ITEMS ONLY - VIA E-MAIL

July 14, 2022

Client Name: Star of Hope, Inc. **Matter:** Michael McKenzie/AIA Litigation

Client Expense Account x **Firm Account** _____

Client Number & Matter: 34196.3

Expense Code: 590

Reason for Payment: Witness Appearance Fee/Mileage

Pay to: Sigmund Schutz

Amount: \$ 40.63

Atty: SWB

Date Needed by: 7/14/22

Time Needed by: any

Return to: Elisa

BRIEF SUMMARY OF EXPENSE CODES

200 Abstracting	340 Deposition Cost	475 Record Book
205 Accident Report	345 Driving Record	480 Recording Fee
210 Appraisal Fee	350 Execution & Copy	490 Registry Copies
215 Annual Report	360 Expert Fee	500 Reimbursement/Refund
220 Attested Copies	365 Fax Charges	505 Surveying Fee
230 Birth Certificate	370 Filing Fee	510 Service Fee
240 Certificate of Good Standing	380 Final Update	520 Title Examination
250 Certificate of Discharge	390 Foreclosure Update	530 Title Insurance premium
260 Certificate of Appointment	400 Legal Service	535 Title Rundown
270 Certificate of Judgment	405 Paralegal Service	540 Title Search
280 Certified Copies	408 Library copies	550 Title Update
290 Certified Copy of Will	410 Medial Report	560 Transcript Cost
300 Copy of Plans	420 Notice to Creditor	570 Transfer Tax
305 Criminal Background Check	430 Photographic Service	575 UCC Filing
310 Copying Outside Service	440 Postcard Notice	580 UCC Search & Copies
315 Courier Service	450 Professional Service	590 Witness Fee
320 Court Copies	455 Postage	595 Wire Transfer Fee

Eaton Peabody
Attorneys at Law

PORTLAND NFE ACCOUNT
ONE PORTLAND SQUARE
PORTLAND, ME 04101

Machias
Savings Bank

BANGOR, ME 04401

52-7453/2112

5212

7/14/2022

PAY TO THE
ORDER OF Edward Boyle

\$ 40.00

Forty and no/100

DOLLARS

AMOUNTS OVER \$10,000 REQUIRE TWO SIGNATURES
VOID AFTER 90 DAYS



S. W. Boyle

34196.3 / Witness Fee and Mileage

MEMO

TRUE WATERMARK PAPER - HOLD TO LIGHT TO VIEW

HEAT SENSITIVE RED IMAGE DISAPPEARS WITH HEAT

⑈005212⑈ ⑆211274531⑆ 813 0256510⑈

PORTLAND NFE ACCOUNT
PORTLAND, ME 04101

5212

7/14/2022

Acct # 34196.3 / Witness Fee and Mileage

40.00

PORTLAND NFE ACCOUNT
PORTLAND, ME 04101

5212

7/14/2022

40.00

Acct # 34196.3 / Witness Fee and Mileage

SATELLITE CHECK VOUCHER
FOR PREPAID ITEMS ONLY - VIA E-MAIL

July 14, 2022

Client Name: Star of Hope, Inc. **Matter:** Michael McKenzie/AIA Litigation

Client Expense Account x **Firm Account** _____

Client Number & Matter: 34196.3

Expense Code: 590

Reason for Payment: Witness Appearance Fee

Pay to: Edward Boyle

Amount: \$ 40.00

Atty: SWB

Date Needed by: 7/14/22

Time Needed by: any

Return to: Elisa

BRIEF SUMMARY OF EXPENSE CODES

200 Abstracting	340 Deposition Cost	475 Record Book
205 Accident Report	345 Driving Record	480 Recording Fee
210 Appraisal Fee	350 Execution & Copy	490 Registry Copies
215 Annual Report	360 Expert Fee	500 Reimbursement/Refund
220 Attested Copies	365 Fax Charges	505 Surveying Fee
230 Birth Certificate	370 Filing Fee	510 Service Fee
240 Certificate of Good Standing	380 Final Update	520 Title Examination
250 Certificate of Discharge	390 Foreclosure Update	530 Title Insurance premium
260 Certificate of Appointment	400 Legal Service	535 Title Rundown
270 Certificate of Judgment	405 Paralegal Service	540 Title Search
280 Certified Copies	408 Library copies	550 Title Update
290 Certified Copy of Will	410 Medial Report	560 Transcript Cost
300 Copy of Plans	420 Notice to Creditor	570 Transfer Tax
305 Criminal Background Check	430 Photographic Service	575 UCC Filing
310 Copying Outside Service	440 Postcard Notice	580 UCC Search & Copies
315 Courier Service	450 Professional Service	590 Witness Fee
320 Court Copies	455 Postage	595 Wire Transfer Fee

{EP - 04276431 - v1 }

Eaton Peabody
Attorneys at Law

PORTLAND NFE ACCOUNT
ONE PORTLAND SQUARE
PORTLAND, ME 04101

Machias
Savings Bank

BANGOR, ME 04401

5213

52-7453/2112

7/14/2022

PAY TO THE
ORDER OF John Simoni

\$ 40.00

Forty and no/100

DOLLARS

AMOUNTS OVER \$10,000 REQUIRE TWO SIGNATURES
VOID AFTER 90 DAYS



S.W. B.

34196.3 / Witness Fee and Mileage

MEMO

005213 21127453 813 0256510

PORTLAND NFE ACCOUNT
PORTLAND, ME 04101

5213

7/14/2022

Acct # 34196.3 / Witness Fee and Mileage

40.00

PORTLAND NFE ACCOUNT
PORTLAND, ME 04101

5213

7/14/2022

40.00

Acct # 34196.3 / Witness Fee and Mileage

SATELLITE CHECK VOUCHER
FOR PREPAID ITEMS ONLY - VIA E-MAIL

July 14, 2022

Client Name: Star of Hope, Inc. **Matter:** Michael McKenzie/AIA Litigation

Client Expense Account x **Firm Account** _____

Client Number & Matter: 34196.3

Expense Code: 590

Reason for Payment: Witness Appearance Fee

Pay to: John Simoni

Amount: \$ 40.00

Atty: SWB

Date Needed by: 7/14/22

Time Needed by: any

Return to: Elisa

BRIEF SUMMARY OF EXPENSE CODES

200 Abstracting	340 Deposition Cost	475 Record Book
205 Accident Report	345 Driving Record	480 Recording Fee
210 Appraisal Fee	350 Execution & Copy	490 Registry Copies
215 Annual Report	360 Expert Fee	500 Reimbursement/Refund
220 Attested Copies	365 Fax Charges	505 Surveying Fee
230 Birth Certificate	370 Filing Fee	510 Service Fee
240 Certificate of Good Standing	380 Final Update	520 Title Examination
250 Certificate of Discharge	390 Foreclosure Update	530 Title Insurance premium
260 Certificate of Appointment	400 Legal Service	535 Title Rundown
270 Certificate of Judgment	405 Paralegal Service	540 Title Search
280 Certified Copies	408 Library copies	550 Title Update
290 Certified Copy of Will	410 Medial Report	560 Transcript Cost
300 Copy of Plans	420 Notice to Creditor	570 Transfer Tax
305 Criminal Background Check	430 Photographic Service	575 UCC Filing
310 Copying Outside Service	440 Postcard Notice	580 UCC Search & Copies
315 Courier Service	450 Professional Service	590 Witness Fee
320 Court Copies	455 Postage	595 Wire Transfer Fee

UNITED STATES DISTRICT COURT
For the District of Maine

INVOICE 20221234

MAKE CHECKS PAYABLE TO: _____

Seth Brewster
Eaton Peabody Portland
100 Middle Street, West Tower Second Floor
P.O. Box 15235
Portland, ME 04112
(207) 274-5266

Lori Dunbar, RMR, CRR
United States Court Reporter
156 Federal Street
Portland, ME 04101
(207) 749-4072
loridunbar@maine.rr.com

☐ CRIMINAL ☒ CIVIL

DATE ORDERED:
07-25-2022

DATE DELIVERED:
08-01-2022

In the matter of: 2:20-CV-00262-NT, Michael McKenzie v James Brannan

Bench Trial, 7/20-22/22

CATEGORY	ORIGINAL			1 ST COPY			2 ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary										
14-Day										
Expedited	363	4.85	1760.55	256	0.90	230.40				1990.95
3-Day										
Daily										
Hourly										
Realtime										
Misc.	Misc. Charges									
Subtotal										1990.95
Less Discount for Late Delivery										
Tax (If Applicable)										
Less Amount of Deposit										
Total Refund										
Total Due										1990.95

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within (7) calendar days, payment would be at the 14-day delivery rate, and if not completed and delivered within 14 days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE:

/s/ Lori D. Dunbar

DATE:

08-01-2022

DISTRIBUTION: TO PARTY (2 copies - 1 to be returned with payment) COURT REPORTER COURT REPORTER SUPERVISOR

SATELLITE CHECK VOUCHER
FOR PREPAID ITEMS ONLY - VIA E-MAIL

August 1, 2022

Client Name: Star of Hope, Inc. **Matter:** Michael McKenzie/AIA Litigation

Client Expense Account x **Firm Account**

Client Number & Matter: 34196.3

Expense Code: 310

Reason for Payment: Trial Exhibit Binders 1/3 of cost – Invoice No. 88556

Pay to: Boston Business Printing, Inc.

Amount: \$ 475.66

Atty: SWB

Date Needed by: any

Time Needed by: any

Return to: Elisa

BRIEF SUMMARY OF EXPENSE CODES

200 Abstracting	340 Deposition Cost	475 Record Book
205 Accident Report	345 Driving Record	480 Recording Fee
210 Appraisal Fee	350 Execution & Copy	490 Registry Copies
215 Annual Report	360 Expert Fee	500 Reimbursement/Refund
220 Attested Copies	365 Fax Charges	505 Surveying Fee
230 Birth Certificate	370 Filing Fee	510 Service Fee
240 Certificate of Good Standing	380 Final Update	520 Title Examination
250 Certificate of Discharge	390 Foreclosure Update	530 Title Insurance premium
260 Certificate of Appointment	400 Legal Service	535 Title Rundown
270 Certificate of Judgment	405 Paralegal Service	540 Title Search
280 Certified Copies	408 Library copies	550 Title Update
290 Certified Copy of Will	410 Medial Report	560 Transcript Cost
300 Copy of Plans	420 Notice to Creditor	570 Transfer Tax
305 Criminal Background Check	430 Photographic Service	575 UCC Filing
310 Copying Outside Service	440 Postcard Notice	580 UCC Search & Copies
315 Courier Service	450 Professional Service	590 Witness Fee
320 Court Copies	455 Postage	595 Wire Transfer Fee



Bridget Zerner
Markham & Read
One Commercial Wharf West
Boston MA 02110

Invoice	
No: 88556	Date: 07/27/22

SHIP TO:

Markham & Read
One Commercial Wharf West
Boston MA 02110

Courier Service 7/22/2022
Fax: 617-742-8604

Acct.No	Ordered by	Phone	P.O. No	Prepared by	Sales Rep	Ship By
210	Bridget Zerner	617-523-6329		Juni Gonzalez	Warren	Courier Service
Quantity	Description					Price
7	(7) Litigation Copies with Binders; B&W; 3 Hole Drill; 86 Tabs manually inserted; 3 Ring Binders					1,310.10
<i>From the BBP team, we appreciate your business and thank you for putting your trust in us. We hope to continue to serve you in the future.</i>					Subtotal	1,310.10
<i>We accept all major credit cards, checks and ACH payments.</i>					Shipping	35.00
<i>We reserve the right to charge your card again should you leave out sales tax and/or shipping cost</i>					Postage	0.00
					Tax	81.88
					TOTAL	1,426.98
					Paid	0.00
					BALANCE	1,426.98
<i>Credit \$708.35 was used up on invoices 46358,45624 and 46355</i>					Terms	Net 30 Days

Elisa McPhee

From: Elisa McPhee
Sent: Monday, August 1, 2022 2:28 PM
To: bzerner; John Markham
Cc: 'Moylan, Christina'; Seth Brewster; Alfred Falzone
Subject: RE: Boston Business Printing, Inc. - Invoice

Defendant Brannan will also send a check for a third (\$475.66) directly to Boston Business Printing.

-----Original Message-----

From: Moylan, Christina <Christina.Moylan@maine.gov>
Sent: Friday, July 29, 2022 6:23 AM
To: bzerner <bzerner@markhamreadzerner.com>; Seth Brewster <SBrewster@eatonpeabody.com>; Alfred Falzone <AFalzone@eatonpeabody.com>; Elisa McPhee <EMcPhee@eatonpeabody.com>
Cc: John Markham <jmarkham@markhamreadzerner.com>
Subject: RE: Boston Business Printing, Inc. - Invoice

**** This message was sent from an external sender ****

The AG will plan to send a check for a third (\$475.66) directly to Boston Business Printing

-----Original Message-----

From: Bridget Zerner <bzerner@markhamreadzerner.com>
Sent: Wednesday, July 27, 2022 4:32 PM
To: SBrewster <SBrewster@eatonpeabody.com>; Moylan, Christina <Christina.Moylan@maine.gov>; AFalzone <AFalzone@eatonpeabody.com>; EMcPhee <EMcPhee@eatonpeabody.com>
Cc: John Markham <jmarkham@markhamreadzerner.com>
Subject: FW: Boston Business Printing, Inc. - Invoice

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon -

Attached is the invoice for the exhibit binders. Let me know how you want to handle the split payments - if you are sending payment directly to BBP - thanks.

Bridget A. Zerner
MARKHAM READ ZERNER LLC
One Commercial Wharf West
Boston, MA 02110
Tel: (617) 523-6329
Fax: (617) 742-8604
bzerner@markhamreadzerner.com